



MUNICIPALITY OF HURON EAST
SPECIAL MEETING
TUESDAY, MARCH 18th, 2014 – 7:00 P.M.
HURON EAST COUNCIL CHAMBERS

The purpose of the special meeting is to hold a public meeting to consider an amendment to the Huron East Zoning By-Law 52-2006.

AGENDA

- 1. Call to Order – Adopt Agenda for Special Meeting**
- 2. Disclosure of Elected Officials – Pecuniary Interest**
- 3. Zoning By-Law Amendment Application**

Note: The following provisions are contained in Ontario Regulation 545/06, Section 5(11) 5

- i. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Huron East before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Municipality of Huron East to the Ontario Municipal Board.
- ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Huron East before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal to the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

- 3 a) Zoning By-Law Amendment Application by Terpstra Farms Limited which affects Lot 3, Concession 12, Grey Ward. The By-Law proposes to change the zoning on part of the property from ‘General Agriculture (AG1)’ to ‘General Agriculture – Special Zone (AG1-37)’. (encl.)**

Comments Received: Report from Senior Planner Sandra Weber dated March 11th, 2014. (encl.)

- 4. Close Special Meeting**

**PUBLIC MEETING
CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT
AFFECTING THE MUNICIPALITY OF HURON EAST**

Roll No. 4040 420 012 00500

TAKE NOTICE that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **March 18, 2014 at 7:00 pm** in the Huron East Council Chambers to consider a proposed zoning by-law amendment under Section 34 of the Planning Act.

BE ADVISED that the Clerk/Council of the Corporation of the Municipality of Huron East considered this application to be complete on February 18th, 2014.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed zoning by-law amendment.

IF a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Huron East before the by-law is passed, the person or public body is not entitled to appeal the decision of the Municipality of Huron East to the Ontario Municipal Board.

IF a person or public body does not make an oral submission at a public meeting or make written submissions to the Municipality of Huron East before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body.

ADDITIONAL INFORMATION relating to the proposed zoning by-law amendment is available for inspection during regular office hours at the Huron East Municipal Office and the County of Huron Planning and Development Department (519) 524-8394 x 3.

DATED AT THE MUNICIPALITY OF HURON EAST THIS 21st DAY OF FEBRUARY, 2014.

Brad Knight, CAO/Clerk, Municipality of Huron East
72 Main Street South, PO Box 610 Seaforth, Ontario N0K 1W0
Phone: 519-527-0160 1-888-868-7513 (toll free) Fax: 519-527-2561

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Lot 3, Conc. 12, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning on part of the property from 'General Agriculture (AG1)' to 'General Agriculture – Special Zone (AG1-37)'.

The applicant is proposing to demolish and replace three of the four existing hog barns on the property (the three most northerly barns) with one new hog barn approximately 4,300 square metres in size located west of the remaining southerly barn. The special zone will recognize a Minimum Distance Separation (MDS) from the proposed barn of 396 metres (1,300 feet) to the residence to the east and 554 metres (1,820 feet) to the residence/former office to the northeast. The required MDS is 572 metres (1877 feet). The owner is also proposing to demolish two liquid manure storage facilities on the property and retain the most northerly storage tank. The applicant is not able to move the barn further back on the property due to a drainage ditch.

The 'Natural Environment – Watercourse (NE1)' and 'Natural Environment – Limited Protection (NE2)' zones are not proposed to change on the property.

The subject property is designated *Agriculture, Natural Environment, and Natural Environment (Watercourse)* in the Huron East Official Plan.

The property is located on 42853 Cranbrook Road.

SCHEDULE 1
CORPORATION OF THE MUNICIPALITY OF HURON EAST
GREY WARD
BY-LAW NO. - 2014

BEING a by-law to amend the zoning on Lot 3, Conc. 12, Municipality of Huron East (Grey Ward).

WHEREAS the Corporation of the Municipality of Huron East considers it advisable to amend Zoning By-law 52-2006, as amended.

NOW THEREFORE, the Council of the Corporation of the Municipality of Huron East enacts as follows:

1. This by-law shall apply to Lot 3, Conc. 12, Municipality of Huron East (Grey Ward).
2. By-law 52-2006 is hereby amended by changing 'General Agriculture (AG1)' to 'General Agriculture – Special Zone (AG1-37)', the zone symbol on the lands designated zone change to 'AG1-37' on the attached Schedule A.
3. Section 4.11 is hereby amended by the addition of the following:

AG1-37
Notwithstanding the provisions of Section 4.5 Separation Distance (Agricultural) to the contrary, on the lands zoned AG1-37 the required MDS II setback shall be 396 metres to the neighbouring residence to the east and 554 metres to the residence/former office to the northeast. All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.
4. Key Map 13, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 13 attached hereto, which is declared to be part of the by-law.
5. This by-law shall come into force upon final passing, pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

READ A FIRST TIME ON THE	DAY OF	, 2014
READ A SECOND TIME ON THE	DAY OF	, 2014.
READ A THIRD TIME AND PASSED THIS	DAY OF	, 2014.

Bernie MacLellan, Mayor

Brad Knight, Clerk/CAO

SCHEDULE 2

CORPORATION OF THE MUNICIPALITY OF HURON EAST

GREY WARD

BY-LAW - 2014

1. By-law - 2014 has the following purpose and effect:

This proposed Zoning By-law Amendment affects Lot 3, Conc. 12, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning on part of the property from 'General Agriculture (AG1)' to 'General Agriculture – Special Zone (AG1-37)'.

The applicant is proposing to demolish and replace three of the four existing hog barns on the property (the three most northerly barns) with one new hog barn approximately 4,300 square metres in size located west of the remaining southerly barn. The special zone will recognize a Minimum Distance Separation (MDS) from the proposed barn of 396 metres (1,300 feet) to the residence to the east and 554 metres (1,820 feet) to the residence/former office to the northeast. The required MDS is 572 metres (1877 feet). The owner is also proposing to demolish two liquid manure storage facilities on the property and retain the most northerly storage tank. The applicant is not able to move the barn further back on the property due to a drainage ditch.

The 'Natural Environment – Watercourse (NE1)' and 'Natural Environment – Limited Protection (NE2)' zones are not proposed to change on the property.

The subject property is designated *Agriculture, Natural Environment, and Natural Environment (Watercourse)* in the Huron East Official Plan.

The property is located on 42853 Cranbrook Road.

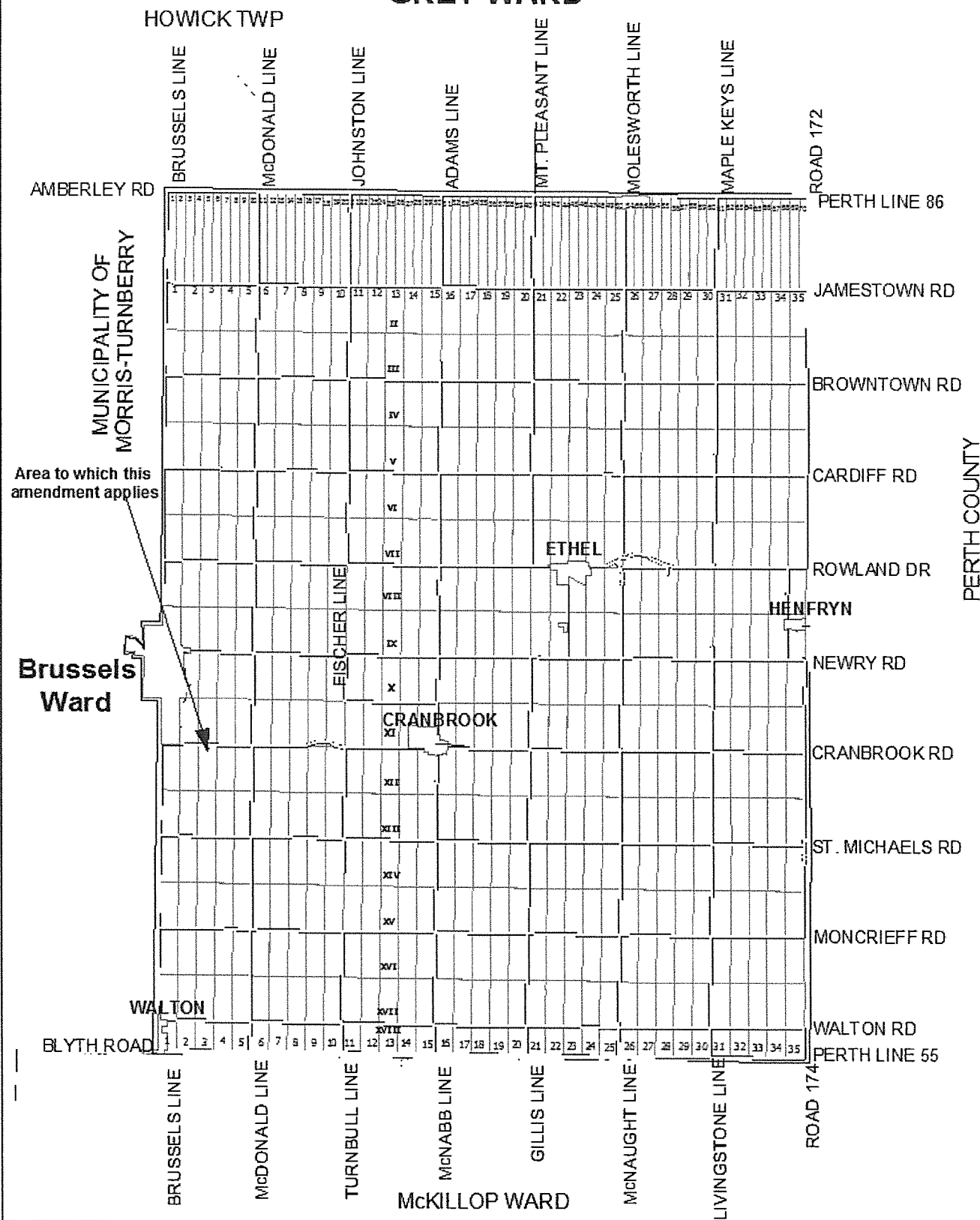
This by-law amends Huron East Zoning By-law # 52-2006.
All other zone provisions apply.

2. A Location Map and Key Map (entitled Schedule 'A') showing the location of the lands to which this by-law applies are shown on the following pages.

LOCATION MAP

MUNICIPALITY OF HURON EAST

GREY WARD



MUNICIPALITY OF MORRIS-TURNBERRY

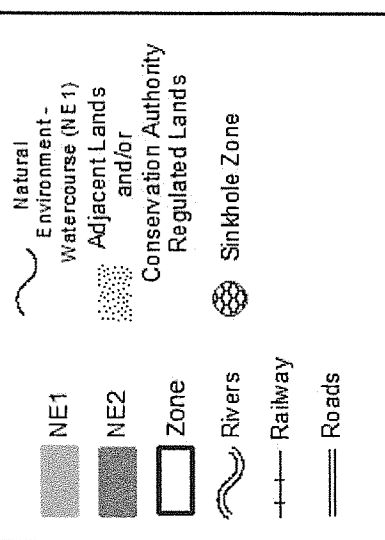
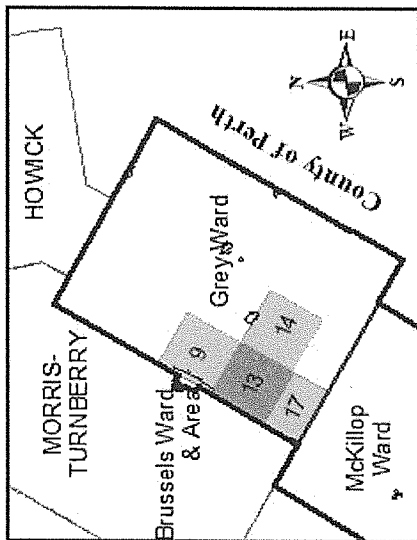
Area to which this amendment applies

Brussels Ward

PERTH COUNTY

McKILLOP WARD

SCHEDULE 'A'
KEY MAP 13
HURON EAST
GREY WARD



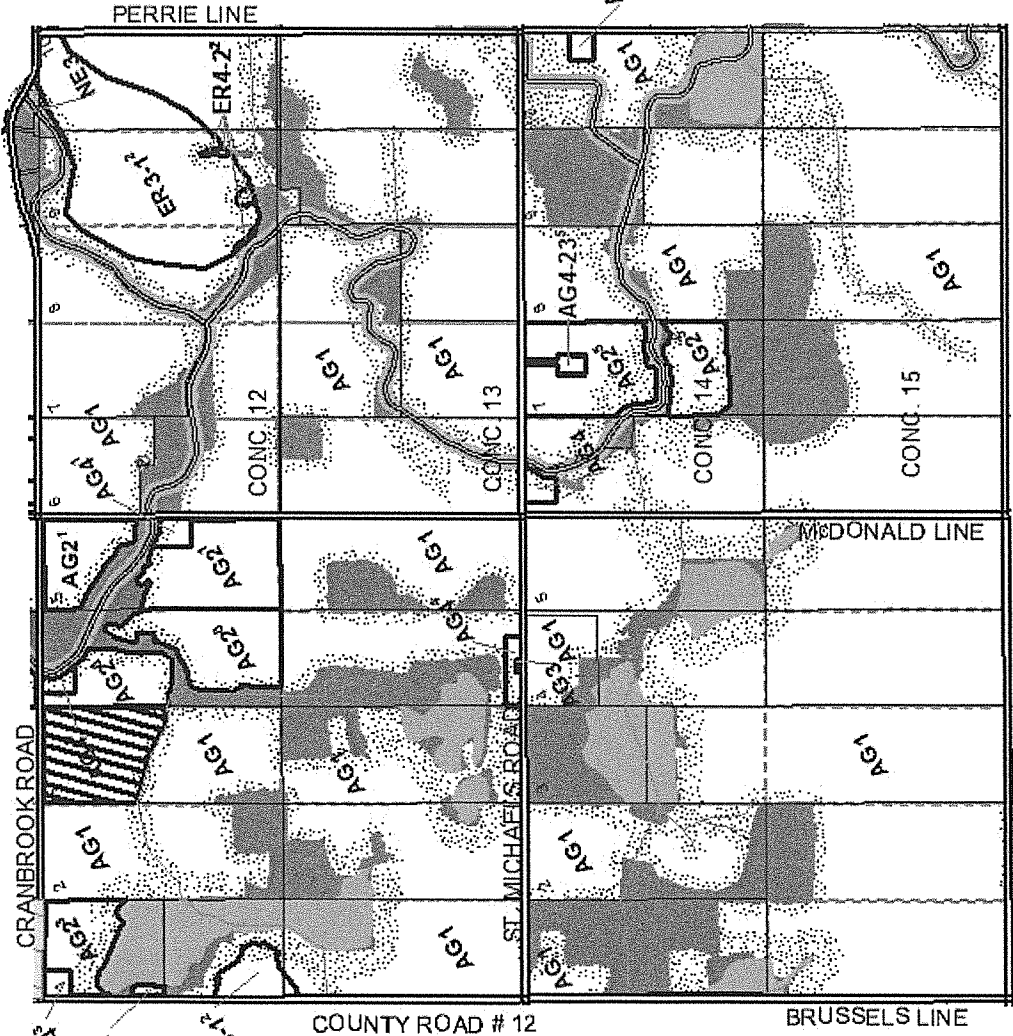
Amendments

1. Amended by By-law 82-2008
2. Amended by By-law 84-2008
3. Amended by By-law 85-2008
4. Temporary Use By-law 19-2011 (Expires February 15, 2014)
5. Amended by By-law 22-2012
6. Amended by By-law 35-2013

Zone change from AG1 (General Agriculture) to AG1-37 (General Agriculture-Special Zone)

REVISION DATE June 20, 2013

SEE KEY MAP 14



SEE KEY MAP 9

SEE KEY MAP 17



1:28,000

MUNICIPALITY OF MORRIS-TURNBERRY



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3

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Zoning By-law Amendment Report To Huron East Council

Owner:	Terpstra Farms Ltd.	Date:	March 11, 2014
Applicant:	Herman Terpstra		
Property Address:	42853 Cranbrook Road		
Property Description:	Lot 3, Concession 12, Municipality of Huron East (Grey Ward)		

RECOMMENDATION

It is recommended that this Zoning By-law Amendment application be **approved**. This recommendation is made in advance of the public meeting and issues that are raised by the public should be addressed prior to approval.

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Lot 3, Conc. 12, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning on part of the property from 'General Agriculture (AG1)' to 'General Agriculture – Special Zone (AG1-37)'.

The applicant is proposing to demolish and replace three of the four existing hog barns on the property (the three most northerly barns) with one new hog barn approximately 4,300 square metres in size located west of the remaining southerly barn. The special zone will recognize a Minimum Distance Separation (MDS) from the proposed barn of 396 metres (1,300 feet) to the residence to the east and 554 metres (1,820 feet) to the residence/former office to the northeast. The required MDS is 572 metres (1877 feet). The owner is also proposing to demolish two liquid manure storage facilities on the property and retain the most northerly storage tank. The applicant is not able to move the barn further back on the property due to a drainage ditch.

The 'Natural Environment – Watercourse (NE1)' and 'Natural Environment – Limited Protection (NE2)' zones are not proposed to change on the property.

The subject property is designated *Agriculture*, *Natural Environment*, and *Natural Environment (Watercourse)* in the Huron East Official Plan.

The property is located on 42853 Cranbrook Road.

COMMENTS

The subject property currently contains a residence, four barns, three open liquid manure tanks, and agricultural land.

The Huron County Official Plan (S. 2.3.10), Huron East Official Plan (S.4.4.xiii), and Huron East Zoning By-law (S. 4.5.1) all require livestock facilities to comply with the Minimum Distance Separation (MDS) formulae. MDS formulae is intended to prevent conflict between land uses.

Presently, the livestock operation has 2,580 feeder pigs, which results in a MDS requirement of 423 metres (1,388 feet). The closest house to the east (42917 Cranbrook Road) is already within the MDS arc for the existing livestock operation. The applicant is proposing to expand the farm operation from 2,580 feeder pigs to 5,300 feeder pigs. The required MDS for this expansion is 572 metres (1,877 feet) to neighbouring residences.

A livestock operation is directed to locate in the *Agriculture* designation in the Huron East Official Plan and it is a permitted use in the 'General Agriculture (AG1)' zone.

Although the applicants are proposing to expand the livestock operation resulting in an increased MDS requirement they have attempted to reduce the impact on neighbouring residences by:

- locating the new barn further away from neighbouring residences than the existing barns;
- proposing to decommission two existing open liquid manure tanks and replacing them with under-the-barn manure storage; and
- proposing to replace three older barns with a newer facility.

The Huron East Official Plan states in Section 5.4.8. that development shall not adversely affect watercourses. The Huron East Zoning By-law establishes a required setback of 60 metres from a watercourse to livestock facilities. Therefore, the applicants are unable to move the barn further south on the property due to the location and setbacks required to the Municipal drain.

A letter of support for the application has been received from Rod and Thelma Steinman who reside at 42917 Cranbrook Road. Their residence is the closest to the proposed barn. They consent to the building of the hog barn and agree with the reduced MDS requirement to accommodate the construction.

In conclusion, this application is consistent with the Provincial Policy Statement and conforms to the intent of the Huron County OP, Huron East OP, and Huron East Zoning By-law.

OTHERS CONSULTED

Maitland Valley Conservation Authority – no objections provided required setback to the existing drain is maintained.



Mitchell Avis, Planner



Sandra Weber, Manager of Planning